

MEMORANDUM

DATE: June 13, 2017

TO: Planning Commissioners

CC: Mayor Tab Bowling; Wally Terry; Herman Marks;
Tony Powell; Tom Polk; Carl Prewitt; Planning Staff

PLANNING COMMISSION MEETING

June 20, 2017

Pre-meeting – 2:15 p.m. (Annex)

Meeting – 3:15 p.m. (Council Chambers)

Agenda Planning Commission

City of Decatur, AL

June 20, 2017

Time: 3:15 PM

City Council Chambers

Commissioners: Tracy Tubbs, *Chairman*; Kent Lawrence, *Vice Chairman*; Gary Borden, *Secretary*; Chuck Ard; Frances Tate; Joseph Wynn; Nell Standridge; Eddie Pike; Myna Burroughs

1. CALL MEETING TO ORDER

2. APPROVAL OF MINUTES- May 23, 2017

3. PUBLIC HEARING

REZONING

PAGE/MAP

- A. Rezoning 1310-17 1/4-10
(West of Country Club RD SE North of Point Mallard Parkway and Country Club LN SE)

4. CONSENT AGENDA

CERTIFICATES

PAGE/MAP

- A. 3355-17 Certificate to Subdivide 1/11-13
(North of Poole Valley Rd. SW and east side of Central Avenue SW)
- B. 3356-17 Certificate to Subdivide 2/14-16
(South of Kennilworth Rd. SW and east side of Pineview Drive SW)
- C. 3357-17 Certificate to Subdivide 2/17-20
(North side of Mud Tavern Rd. and east of South Chapel Hill Rd. SW)
- D. 3358-17 Certificate to Subdivide 3/21-23
(North of Cedar Lane Drive between Indian Hills Rd. SE and Willowbend Rd. SE)

SITE PLAN REVIEW

- A. 556-17 Bendall Pharmacy 3/24
(North of Stratford Rd. SE and east side of Highway 31 North) see plat

Minutes
Zoning Committee
June 13, 2017

PUBLIC HEARING

Rezoning

1310-17

Applicant: Pugh Wright McAnnally
Owner: Club Properties, LLC

Zoning: R1
Acreage: 80.6

Request: To rezone 80.6 acres more or less from R1 (single family residential) to RD (redevelopment)

Location: West of Country Club RD SE North of Point Mallard Parkway and Country Club LN SE

Recomm:: The Zoning Committee and the Planning Department recommend approval of a corporate campus which is supported by the Long Range Plan recommendation of a semi public use.

END PUBLIC HEARING

CONSENT AGENDA

Minutes
Subdivision Committee
June 13, 2017

Certificates

3355-17 Certificate to Subdivide

Applicant: Pugh Wright McAnnally
Owner: Alan Nunnelee

Zoning: Outside Corp Limits, PJ
Acreage: 9.61 acres

Request: Subdivide 9.61 acres into two tracts of 7.11 acres and 2.50 acres

Location: North of Poole Valley Rd. SW and east side of Central Avenue SW

Conds:

1. Payment of recording fees
2. Signed letter from applicant requesting subdivision
3. Extend sewer to both units or provide perc test for Unit 2

Pt of Info:

1. ***Any relocation of utilities will be at the owner's expense.***
2. ***Twenty-four foot (24') deed gap shown on survey is NOT City Row/Alley. This is a surveyor discrepancy.***
3. ***No further subdivision of the remaining Nunnelee property without a minimum of a minor plat.***

Recomm: Approval with stated conditions.

3356-17 Certificate to Subdivide

Applicant: Pugh Wright McAnally and Steve Reeves
Owner: 1012 Properties LLC

Zoning: R-2, SF Residential
Acreage: .47 acres

Request: Subdivision of Lot 5, Block 7 of the Replat of Town and Country Subdivision into two tracts of .17 acres and .30 acres

Location: South of Kennilworth Rd. SW and east side of Pineview Drive SW

- Conds:
1. Payment of recording fees
 2. Subject to City Council approval of Rezoning Request 1309-17
 3. Dedicate a 5' electrical easement along the southeastern property line

Pt of Info:

- (1) ***Any relocation of utilities will be at the owner's expense.***
- (2) ***Pineview Drive to be improved per agreement with City Engineer. This condition to be included in the building permit process and street improvements to be completed before the issuance of a final CO.***

Recomm: Approval with stated conditions.

3357-17 Certificate to Subdivide

Applicant: Pugh Wright McAnally
Owner: Ronald & Sandra Eddy

Zoning: AG-1, Agricultural
Acreage: 100 acres

Request: Subdivide two tracts of 3.74 acres, 12.83 acres out of a 100 acre tract leaving an approximate 84 acre tract, more or less.

Location: North side of Mud Tavern Rd. and east of South Chapel Hill Rd. SW

- Conds:
1. Show acreage for all three tracts on survey
 2. Provide State Plane Coordinates on survey
 3. Provide a stamped and sealed survey for recording
 4. Payment of recording fees
 5. Provide signed letter from applicant requesting subdivision
 6. Show flood hazard information on survey
 7. Show sewer line easement (30') that traverses the property
 8. Show ROW for Mud Tavern Rd. on survey (30' from the centerline)

Pt. of Info: Any relocation of utilities will be at the owner's expense.

Recomm: Approval with stated conditions.

3358-17 Certificate to Subdivide

Applicant: Pugh Wright McAnally
Owner: Burningtrees Valley Associates

Zoning: AG-1, Agricultural
Acreage: 20.28 acres

Request: Subdivide 20.28 acres into two tracts of 17.07 acres and 3.21 acres

Location: North of Cedar Lane Drive between Indian Hills Rd. SE and Willowbend Rd. SE

- Conds:
1. Provide signed letter from applicant requesting subdivision
 2. Payment of recording fees
 3. Provide State Plane Coordinates on survey
 4. Provide a stamped and sealed survey for recording
 5. Copy of deed showing ownership

Pt. of Info: Any relocation of utilities will be at the owner's expense.

Recomm: Approval with stated conditions.

Site Plan Review

556-17 Bendall Pharmacy

Applicant: Pugh Wright McAnally
Owner: George Douthit

Zoning: B-2, General Business
Acreage: 1.94 acres

Request: Site plan approval for the construction of a new Bendall Pharmacy

Location: North of Stratford Rd. SE and east side of Highway 31 North

- Conds:
1. Show dumpster location on site plan
 2. Provide easements for all public utilities on the property – to be approved by DU
 3. Confirm floodplain & flood hazard does not encroach on the property.

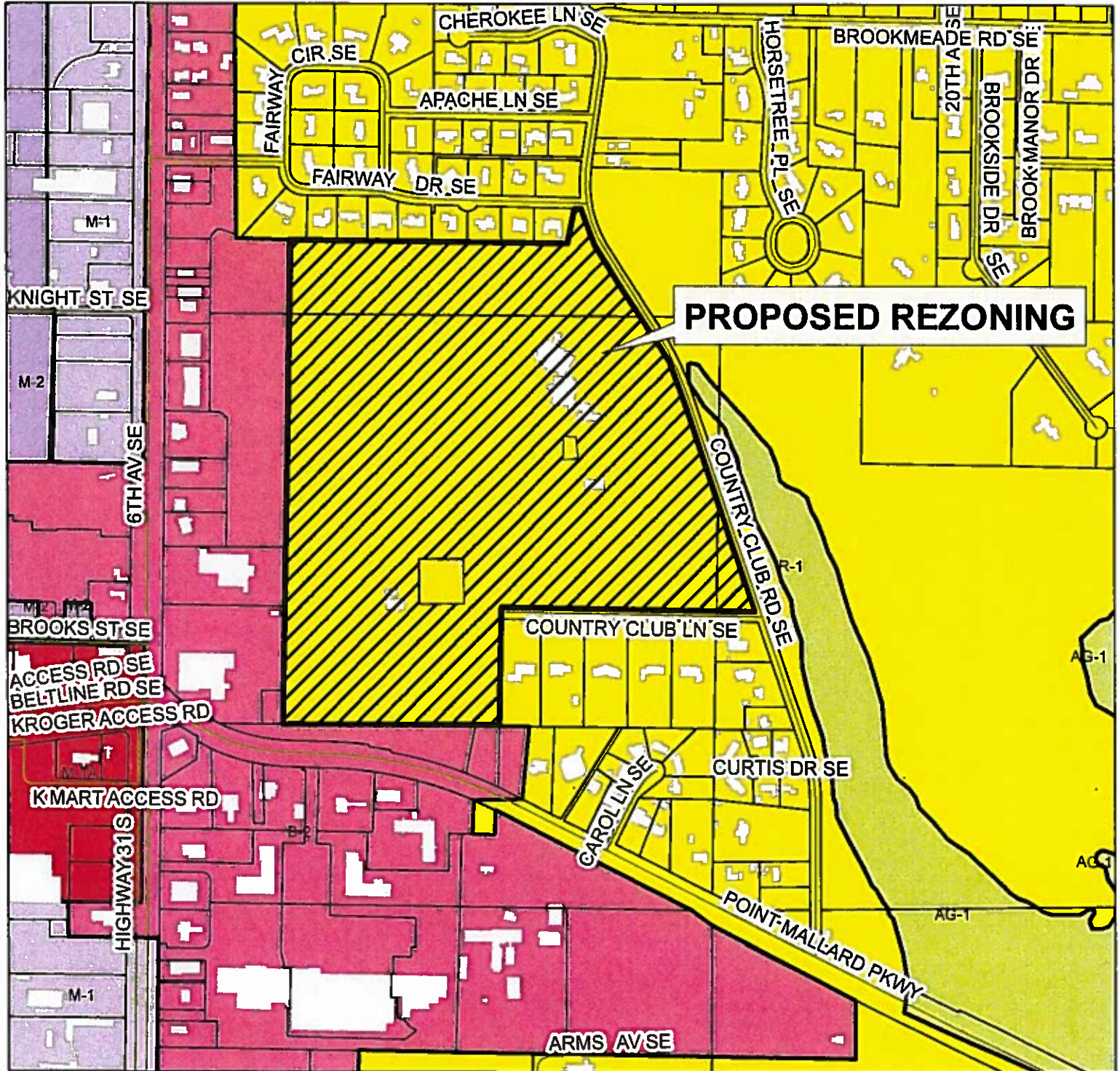
Pt of Info:

1. ***Any relocation of utilities will be at the owner's expense.***
2. ***Foundational or frontage landscaping will be required.***

Recomm: Approval with stated conditions.




END CONSENT AGENDA

REZONING REQUEST NO. 1310-17 FROM R-1 TO RD 80.6 ACRES MORE OR LESS



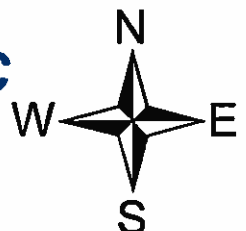
LOCATION MAP

Legend

-  Buildings
-  Corporate Limits
-  SUBJECT PROPERTY

APPLICANT : CLUB PROPERTIES, LLC

PROPERTY ZONED R-1



DRAWING NOT TO SCALE

ZONING COMPARISONS

SECTION	R1	RD
<p>USES PERMITTED</p>	<p>ALL RESIDENTIAL DISTRICTS There is hereby created an "R" Residential District (Residential) for those areas so designated by this chapter and the zoning map of the city, which "R" Districts shall allow: Accessory structures; gardens; playgrounds; parks; public buildings; including public schools and libraries.</p> <p>R1 There is hereby created an R-1 Residential District for those areas so designated by this chapter and the zoning map of the city, which R-1 Districts shall allow: Single-family dwellings (See also regulations common to all "R" Districts, listed in</p>	<p>a. Residential dwellings, with the exception of mobile homes, those uses permitted in all "R" Districts, including loft apartments above lower floor commercial/retail buildings.</p> <p>b. Retail and commercial trade, including the following types: food, bakery, delicatessen, general merchandise, apparel, furniture, household and hardware, TV, drug and sundries, jewelry and gifts, florists, sporting goods, antiques, appliances, hobby supply, home medical equipment, office supply, bookstore, camera and photographic supplies, fabric store, music store and other uses of similar types.</p> <p>c. Service oriented facilities, including the following types: banks, barber or beauty salons, churches, professional clinics (dental or medical), computer stores, fire station, hotel/motel, interior decorating shops, neighborhood retail, professional offices, optician, photographic studio, picture framing, police substations, post office branch, public/private schools (preschool/elementary or secondary), TV sales, restaurants, shoe repair, music or dance studios, art studios, martial arts studios, public buildings, including libraries, public utilities, semi-public buildings including municipal, county, state and federal buildings, playgrounds and parks, art galleries and other uses of similar types.</p> <p>d. Light manufacturing, including light industrial operations, not obnoxious, offensive, or detrimental to neighborhood property by reason of dust, smoke, noise, odor or appearance, extended operating hours, or heavy truck traffic. Any retail or wholesale business not specifically restricted or prohibited in <u>section 25-12</u> of the zoning ordinance.</p>

SECTION	R1	RD
		e. On- and off-premises sale of alcoholic beverages. Off-premises sale of beer and table wine; on-premises sale of alcoholic beverages by duly licensed restaurants; and on-premises sale of alcoholic beverages by lounges located in, and constituting an integral part of a restaurant licensed by the state alcoholic beverage control board to sell alcoholic beverages as a restaurant; and on-premises sale by a lounge located in, and constituting an integral part of a hotel or motel having fifty (50) or more rooms for rent to the public.
USES PERMITTED ON APPEAL	<p>ALL RESIDENTIAL DISTRICTS These uses shall also be permitted on appeal: Customary home occupations; public utilities, general hospitals for humans, except primary for mental cases; semi-public buildings; golf courses; municipal, county, state or federal use; clubs located on and embracing within its sole possessory right, one (1) tract or parcel of land not less than twenty (20) acres in size; and on premises and off premises sale of alcoholic beverage by clubs meeting the acreage requirements above when duly licensed as a class I or class II club by the city and the state alcoholic beverage control board under and pursuant to the Alcoholic Beverage Licensing Code.</p> <p>R1 SAME AS ALL RESIDENTIAL DISTRICTS</p>	None given
USES PROHIBITED	<p>ALL RESIDENTIAL DISTRICTS Except as expressly permitted, or permitted on appeal, the following uses are prohibited in all residential districts, including without limitation planned residential development districts, specialty and restricted residential districts: ("R" Districts): All buildings, structures and units constructed off-site (except for modular homes as in <u>section 25-2</u>) without regard to whether or not such building, structures or units are designed and built in compliance with state or federal standards, including without limitation, mobile homes, manufactured homes, house trailers, and trailer coaches; trailer or manufactured home parks, courts or</p>	Lumber yards or mills, mobile home sales, mobile home parks, stockyard (live animal or poultry sales), junkyards, and sexually oriented businesses; businesses licensed under the Deferred Presentment Services Act and/or, Pawnshop Act and/or, Dealers in Gold or Precious Items Act; and other uses found to be of an objectionable nature or inconsistent with the general welfare of the district as determined by the chief building official.

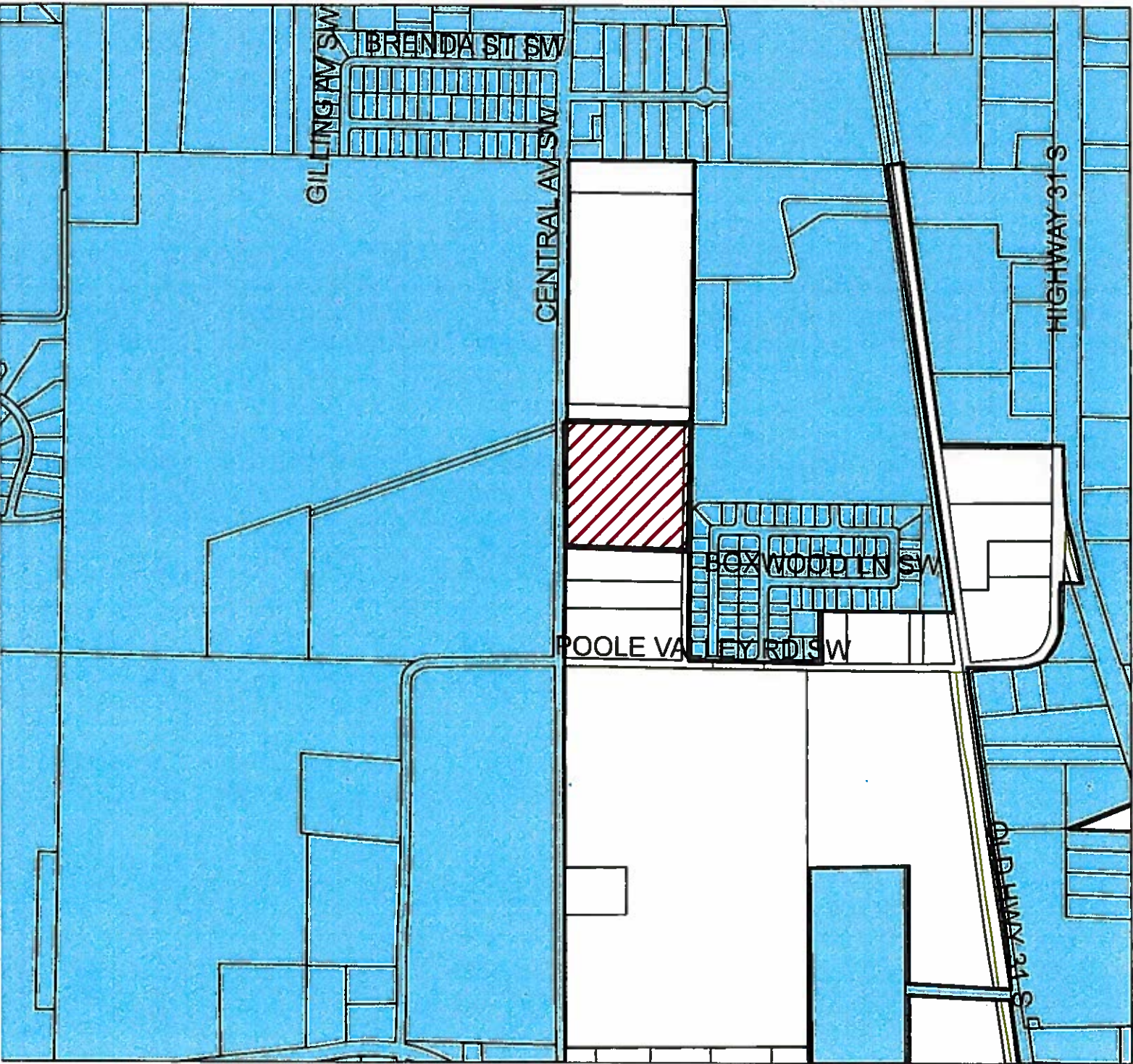
SECTION	R1	RD
	<p>camp, and commercial and industrial uses, including parking lots and parking areas in connection with any of these uses, not specifically permitted.</p> <p>R1 Any use not permitted, or permitted on appeal, is prohibited</p>	
PARKING	<p>ALL RESIDENTIAL DISTRICTS</p> <p>a. Off-street parking and vehicle access shall be provided as set forth in section 25-16 hereof.</p> <p>b. A carport, porte-cochere, porch or structure part thereto, attached to or situated within five (5) feet of the main structure as defined in section 25-2 thereof, shall be considered as a part of the main building and shall be subject to the setback and side yard requirements of the district in which it is located.</p> <p>R1 SAME AS ALL RESIDENTIAL DISTRICTS</p>	<p>(7) <i>Off-street parking.</i> Not specified, but all parking must be contained on the property site, or on adjacent property (may be separated by an alley), or with a shared parking agreement with an adjoining property owner</p> <p>(8) <i>Off-street loading.</i> Shall provide space for loading and unloading on the property site.</p>
MINIMUM LOT AREA	<p>ALL RESIDENTIAL DISTRICTS</p> <p>None specified</p> <p>R1 Fourteen thousand (14,000) square feet</p>	<p>(3) <i>Minimum lot size.</i> It is the intent of this section that lots of sufficient size be used for any development to provide adequate parking and loading and unloading space in addition to the spaces required for normal operation and to meet the landscaping requirements of this section.</p>
MINIMUM BUILDING AREA	<p>ALL RESIDENTIAL DISTRICTS</p> <p>None specified</p> <p>R1 None specified</p>	<p>(5) <i>Maximum building area.</i> The maximum building site coverage by all structures shall be fifty (50) percent.</p>
MINIMUM FRONT YARD SETBACK	<p>ALL RESIDENTIAL DISTRICTS</p> <p>Public and semi-public structures: Thirty-five (35) feet</p> <p>R1 Forty (40) feet.</p>	<p>a. Front yard: None, except for lots facing Sixth Avenue (U.S. Hwy 31), there shall be a minimum twenty-five-foot setback.</p>
MINIMUM REAR YARD SETBACK	<p>ALL RESIDENTIAL DISTRICTS</p> <p>1. Public and semi-public structures: Thirty-five (35) feet.</p> <p>2. Accessory structures: Five (5) feet.</p> <p>R1 Forty-five (45) feet</p>	<p>b. Rear yard: None</p>
MINIMUM SIDE YARD SETBACKS	<p>ALL RESIDENTIAL DISTRICTS</p> <p>1. Public and semi-public structures: Thirty-five (35) feet.</p>	<p>c. Side yard: None, except on a lot adjoining residential along its side lot line, there shall be a side yard of not less than eight (8) feet.</p>

SECTION	R1	RD
	2. Accessory structures: Five (5) feet R1 Fifteen (15) feet	
MINIMUM FEET AT BUILDING LINE	ALL RESIDENTIAL DISTRICTS None given R1 One-hundred (100) feet	None given
MAXIMUM HEIGHT	ALL RESIDENTIAL DISTRICTS Forty-five (45) feet R1 Thirty-five (35) feet	None given
MAXIMUM HEIGHT IN STORIES	ALL RESIDENTIAL DISTRICTS Three (3) R1 Two and one-half (2½)	None given
Landscaping and Lighting	None given	<p>(9) <i>Landscaping and lighting.</i> Landscaping and lighting criteria are hereby established to protect and preserve the appearance, and value of surrounding properties.</p> <p>a.</p> <p>All development, with the exception of single-family residential, will be required to provide frontage landscaping (as defined in section 25-16(9)(f) of the zoning ordinance) or, at the option of the developer, foundation landscaping (as defined in section 25-16(9)(g) of the zoning ordinance).</p> <p>b.</p> <p>All commercial or industrial development adjacent to residential property shall provide perimeter landscaping within the property lines between the off-street parking area and adjoining properties of not less than five (5) feet in depth; or</p> <p>c.</p> <p>All commercial or industrial development adjacent to residential property shall provide a solid fence or wall. The fence shall be a minimum of six (6) feet high. Chain link or other wire fencing material is prohibited.</p> <p>(10) <i>Lighting.</i> Shall be in compliance with section 25-16(9)(o) of the zoning ordinance.</p>
Signage	None	<p>(11)</p> <p><i>Signage.</i> Signage requirements in the Redevelopment District on a principal arterial street or above, as designated in the transportation section of the comprehensive master plan, shall be subject to section 25-</p>




SECTION	R1	RD
		<p><u>77(e)</u> (Business Districts B-2 and B-3; Manufacturing Districts M-1 and M-2; and Expressway Commercial District M-1A) of the zoning ordinance of the city.</p> <p>Signage on all other streets in the redevelopment district shall be subject to <u>section 25-77(c)</u> (Central Business District B-5) of the zoning ordinance of the city.</p> <p>However, signage for development adjoining an existing residential structure shall be a monument sign.</p> <p>Monument signs shall not exceed thirty-six (36) square feet in area and forty-two (42) inches in height. Monument signs shall be setback a minimum of ten (10) feet behind the curb unless the sign will encroach on the right-of-way, then the sign will be placed behind the property line. Monument signs shall not obstruct the line of site for vehicles using the ingress or egress to an adjoining property.</p> <p>If the property has a mixed use (e.g. commercial and residential) the more restrictive signage requirement shall apply.</p>
Application and approval process		<p>(12) <i>Application and approval process.</i></p> <p>a.</p> <p>Approval required. Planning commission site plan approval is required for any new development or new construction and prior to the issuance of any related building permits in the redevelopment district.</p> <p>b.</p> <p>Content of application. Each application for development located in the redevelopment district shall be drawn by a registered civil engineer of the state and include the following information:</p> <ol style="list-style-type: none"> 1. The name, address & phone number of the property owner and applicant. 2. The legal and general description of the tracts or lots on which review is sought. 3. A statement of proposed use. 4. A complete site development plan drawn to a scale of no less than one (1) inch equals fifty (50) feet indicating: <ol style="list-style-type: none"> a) <p>Dimension and location of all existing or</p>

SECTION	R1	RD
		<p>proposed buildings, existing utilities and easements, access drives, parking areas, loading and unloading areas, if applicable.</p> <p>b)</p> <p>Landscaping, fencing and lighting plans,</p> <p>c)</p> <p>Signage plans.</p>

CERTIFICATE TO SUBDIVIDE NO. 3355-17



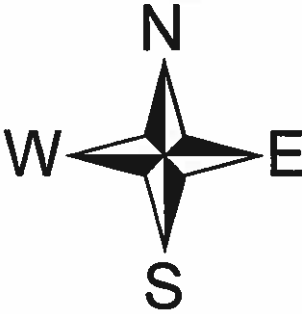
Legend

-  Ownership
-  Corporate Limits
-  SUBJECT PROPERTY

LOCATION MAP

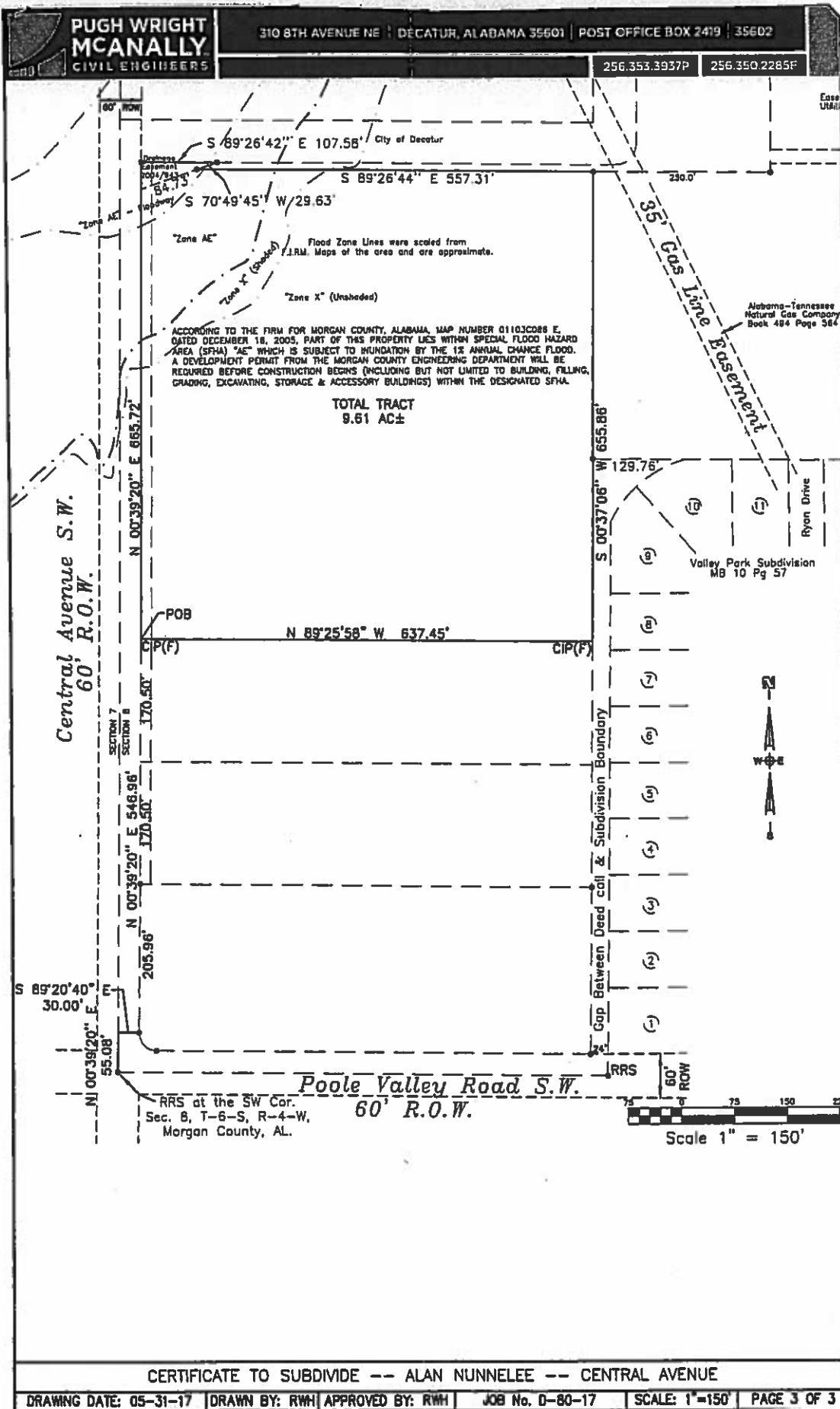
APPLICANT: ALAN NUNNELEE

PROPERTY PJ ONLY

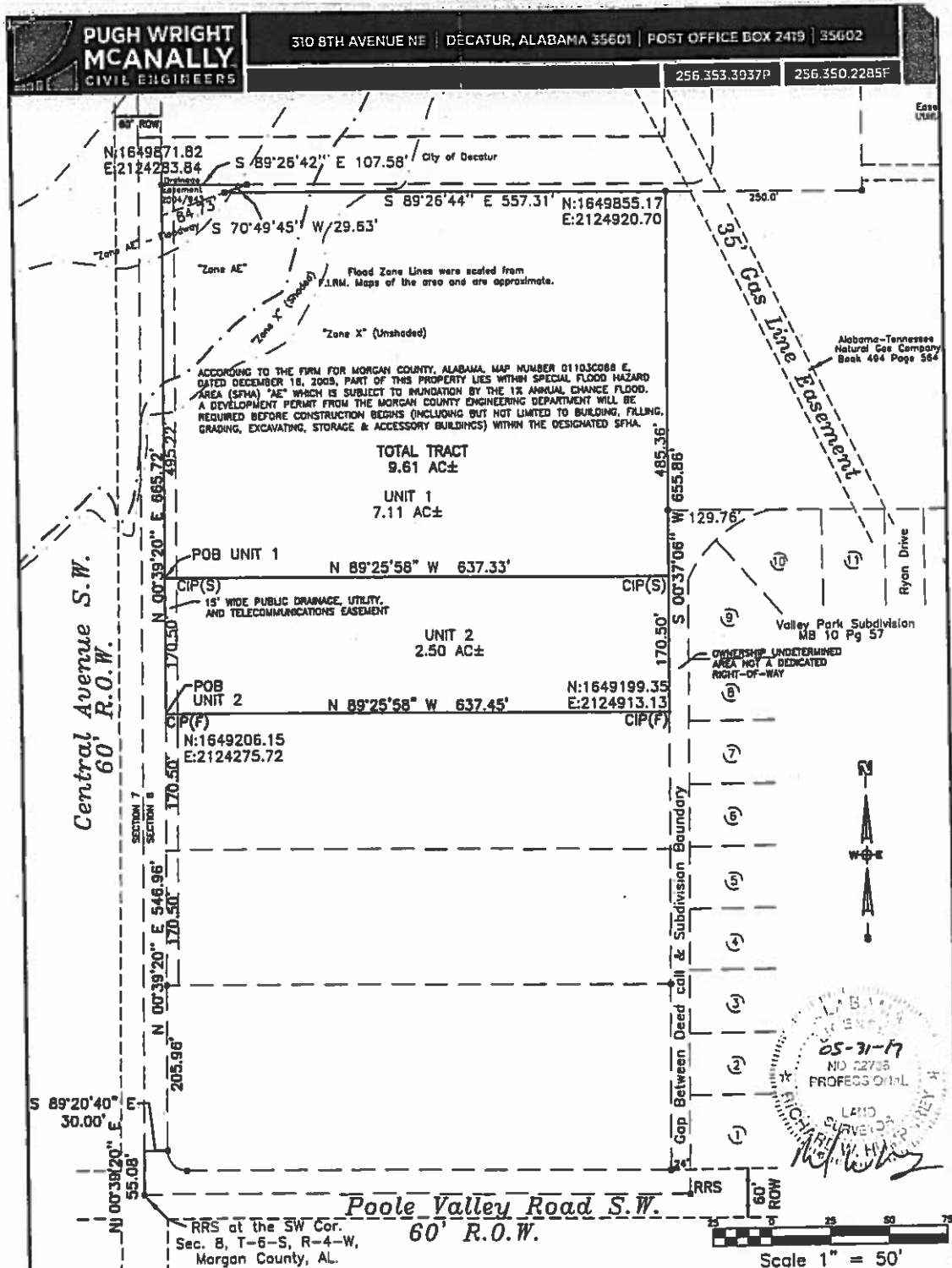


DRAWING NOT TO SCALE

CERTIFICATE TO SUBDIVIDE NO. 3355-17



CERTIFICATE TO SUBDIVIDE NO. 3355-17



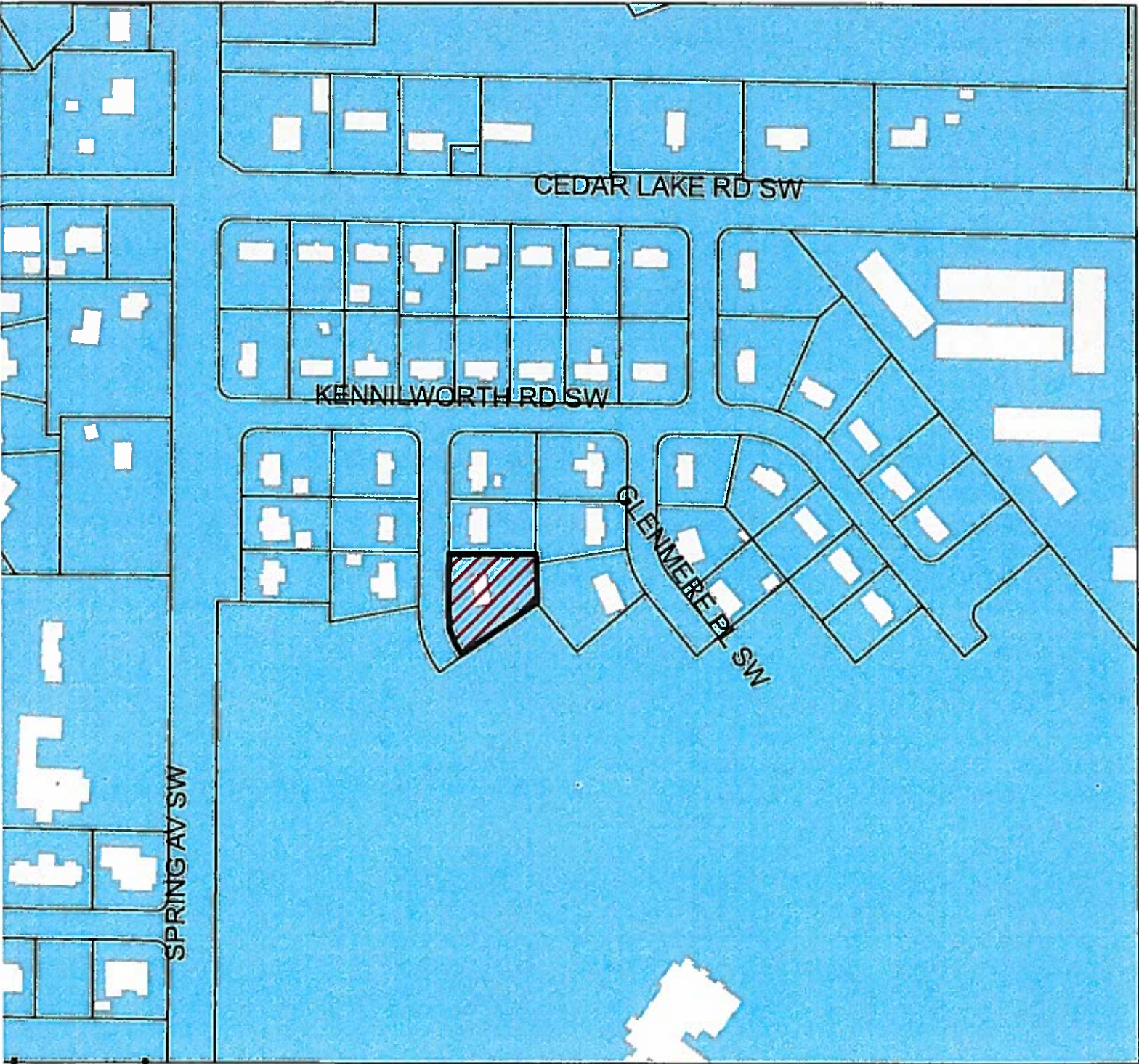
GENERAL NOTES

1. NORTH REFERENCE IS BASE BEARING FROM DEED AS SHOWN HEREON.
2. ALL MEASUREMENTS SHOWN ARE TO U.S. STANDARDS AND ARE FIELD MEASUREMENTS UNLESS OTHERWISE SHOWN
3. SOURCE OF INFORMATION USED FOR SURVEY: D.B. 2008, PG 6743
4. PROPERTY ADDRESS IS CENTRAL AVENUE, DECATUR, ALABAMA
5. NO ENCROACHMENTS WERE FOUND ABOVE GROUND EXCEPT AS SHOWN
6. NO SEARCH OF PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM TO DETERMINE IF ANY DEFECTS AND/OR AMBIGUITIES EXIST IN THE TITLE.
7. THERE WAS NO FIELD LOCATION ATTEMPTED TO DETERMINE THE EXTENT OF SUBSURFACE STRUCTURES
8. UNLESS STATED OTHERWISE, GOVERNMENTAL JURISDICTIONAL AREAS OR NEGATIVE EASEMENT, IF ANY, WHICH MIGHT AFFECT THE USE OF THIS PROPERTY WERE NOT LOCATED. THE UNDERSIGNED ASSUMES NO LIABILITY FOR ANY LOSS RESULTING FROM THE EXERCISE OF ANY GOVERNMENTAL JURISDICTION AFFECTING THE USE OF THIS PROPERTY.
9. FIELD WORK WAS COMPLETED JUNE, 2017.

BOUNDARY SURVEY -- ALAN NUNNELEE -- CENTRAL AVENUE NORTH OF POOLE VALLEY ROAD

DRAWING DATE: 05-31-17 DRAWN BY: RWH APPROVED BY: RWH JOB No. S-81-17 SCALE: 1"=150' PAGE 3 OF 3

CERTIFICATE TO SUBDIVIDE NO. 3356-17



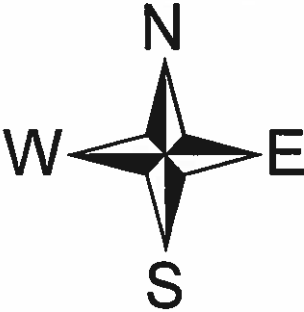
Legend

- Ownership
- Buildings
- Corporate Limits
- SUBJECT PROPERTY

LOCATION MAP

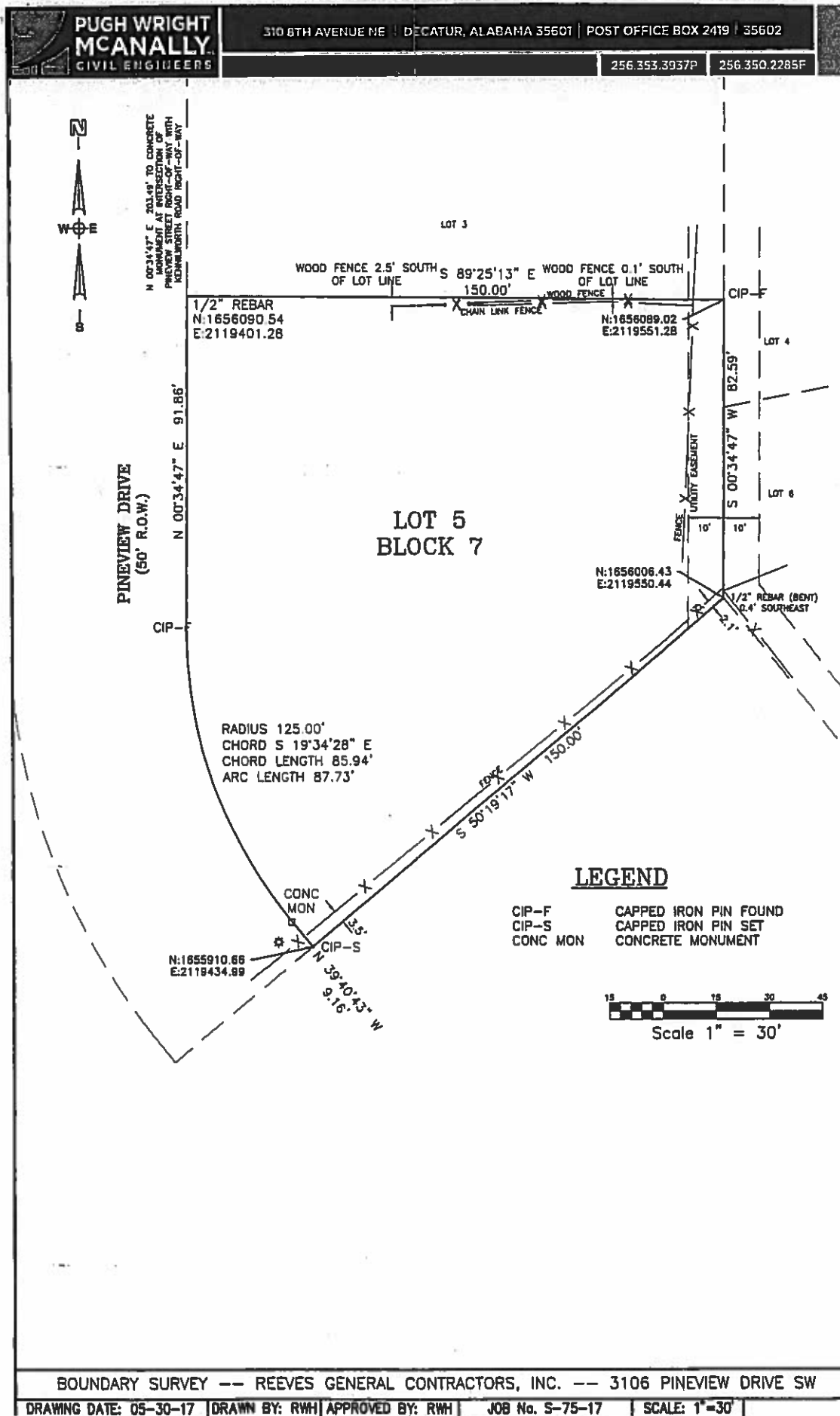
APPLICANT: 1012 PROPERTIES LLC

**PROPERTY ZONED R-2
(PROPOSED REZONING TO R-5)**

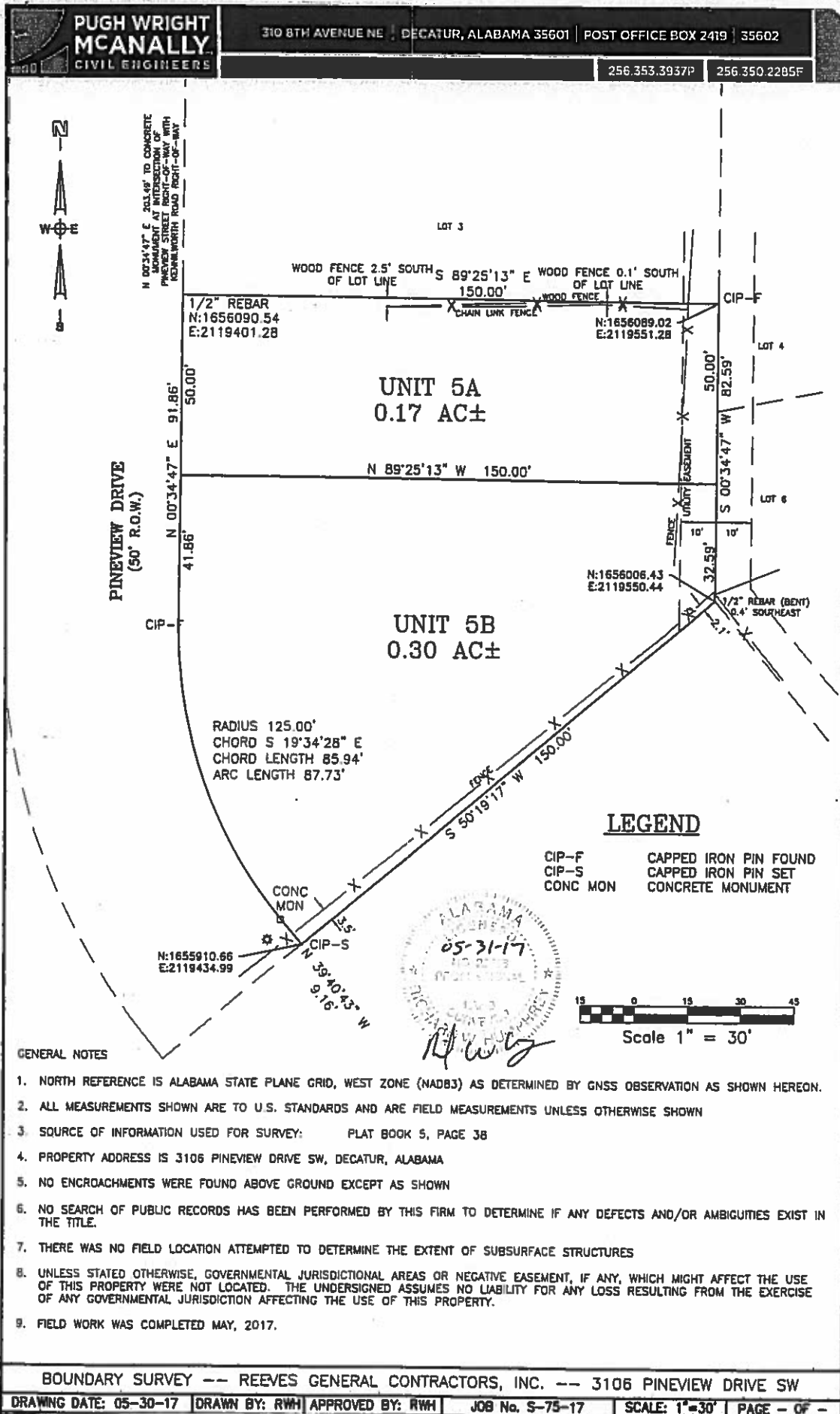


DRAWING NOT TO SCALE

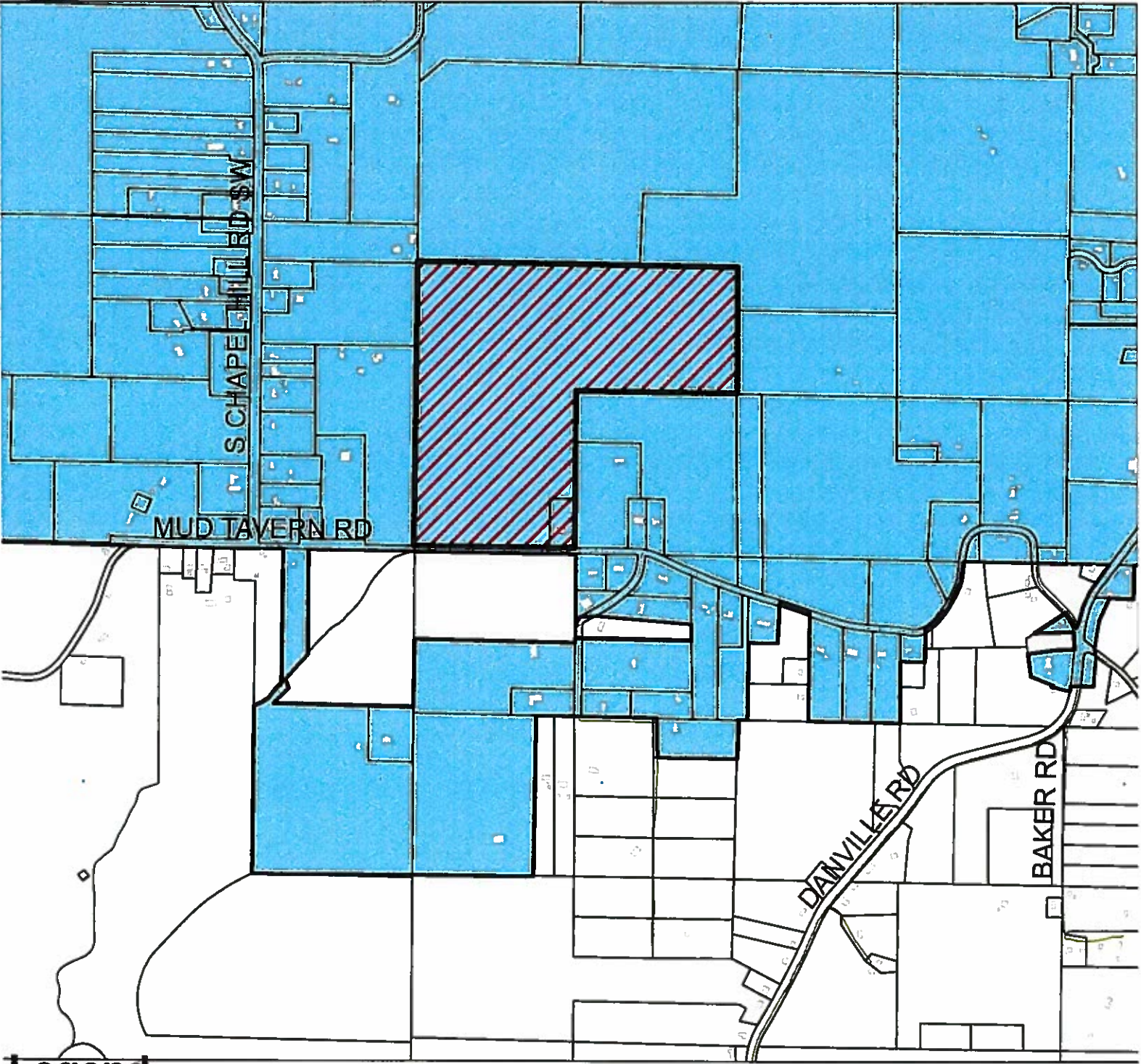
CERTIFICATE TO SUBDIVIDE NO. 3356-17






CERTIFICATE TO SUBDIVIDE NO. 3356-17



CERTIFICATE TO SUBDIVIDE NO. 3357-17



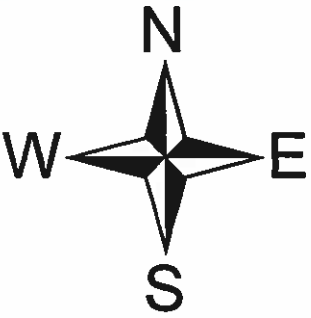
Legend

-  Ownership
-  Buildings
-  Corporate Limits
-  SUBJECT PROPERTY

LOCATION MAP

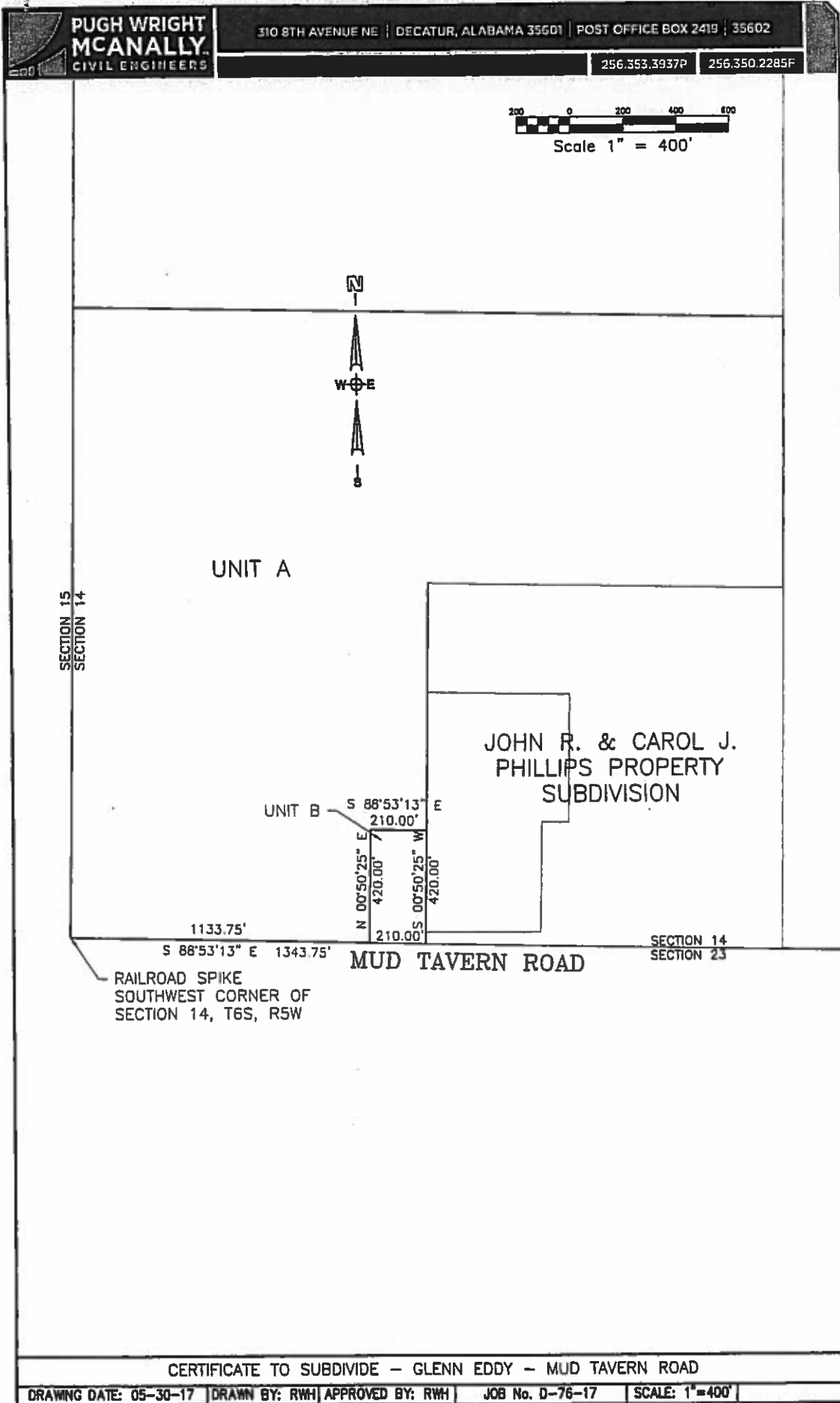
APPLICANT: SANDRA AND RONALD EDDY

PROPERTY ZONED AG-1

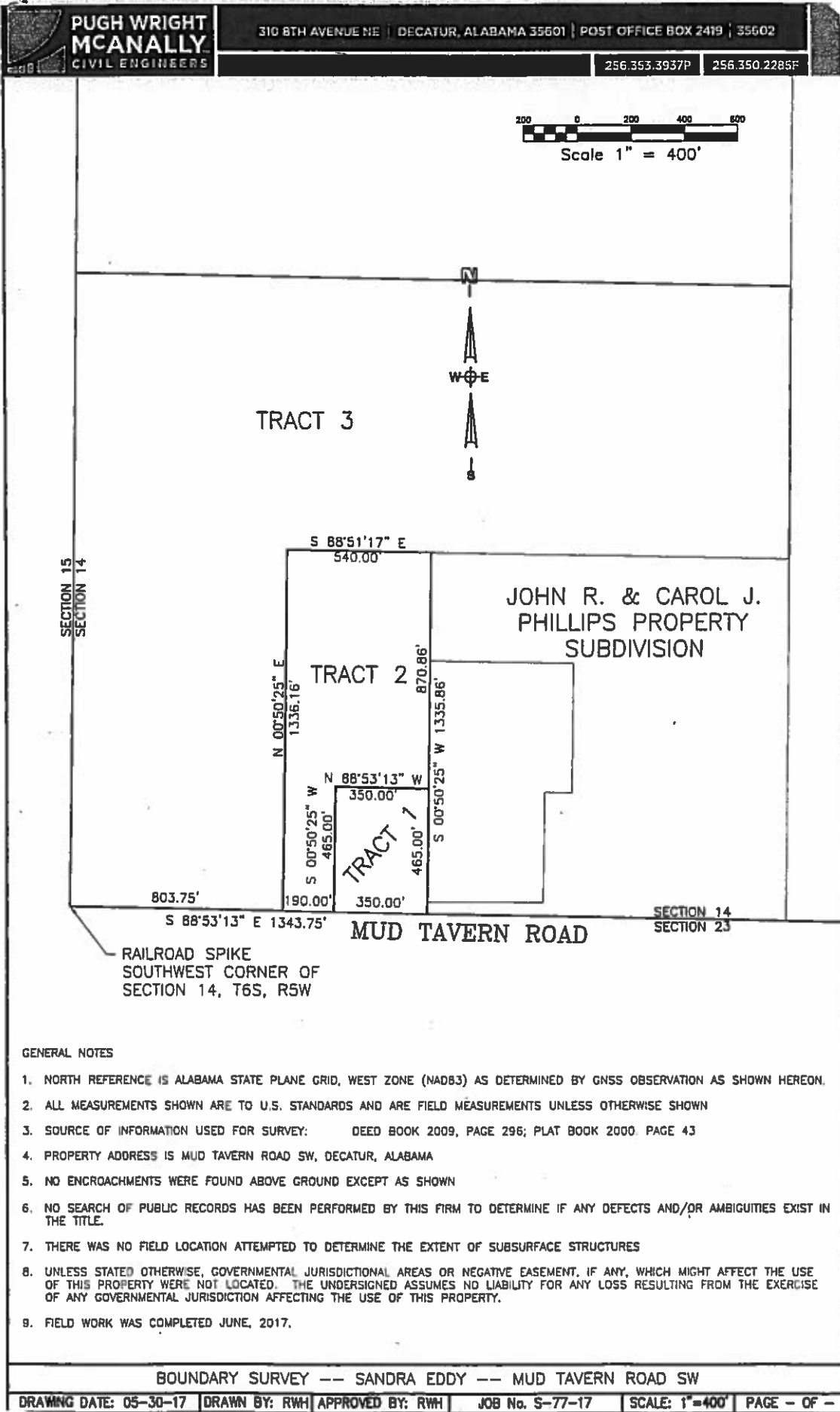


DRAWING NOT TO SCALE

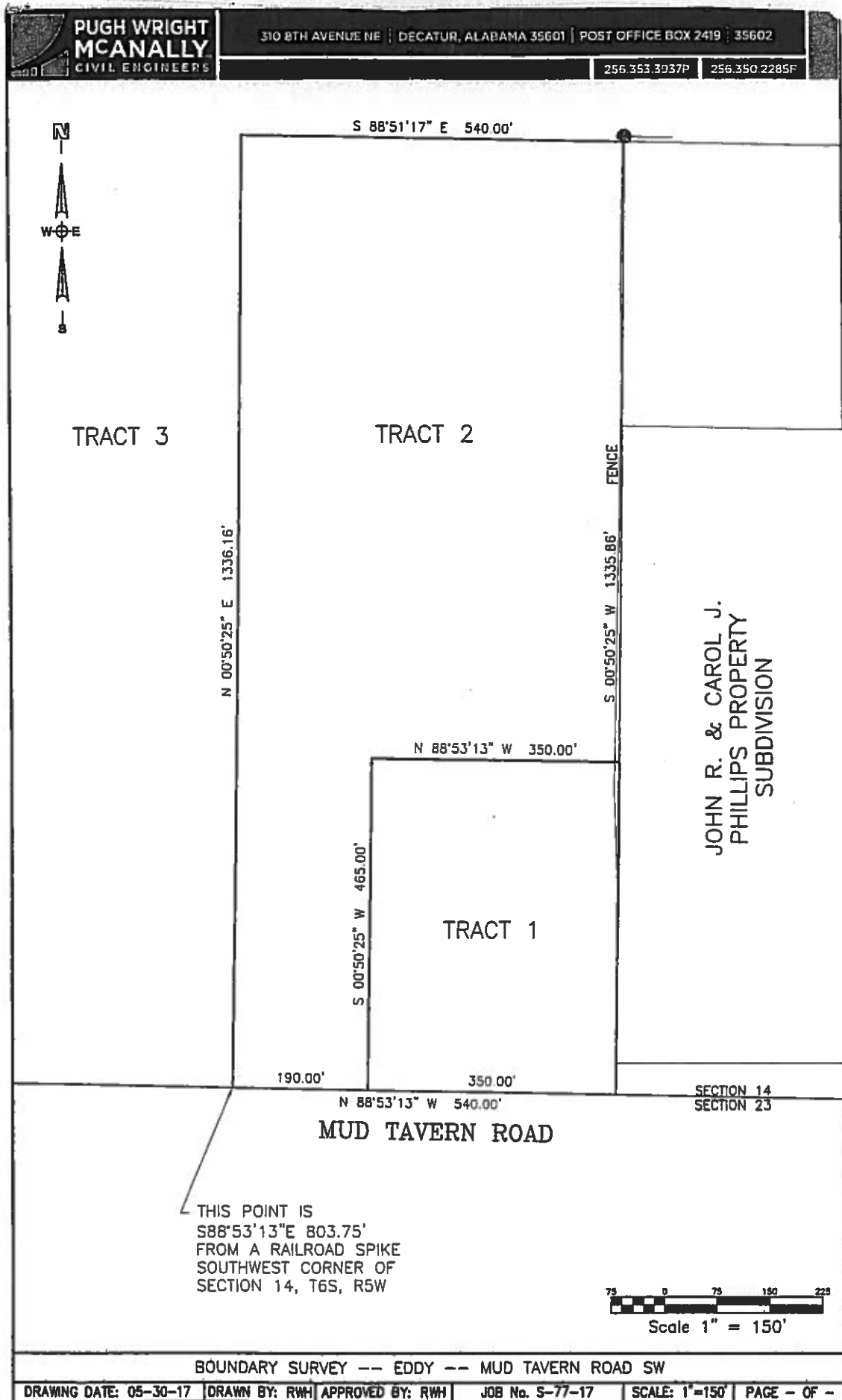
CERTIFICATE TO SUBDIVIDE NO. 3357-17



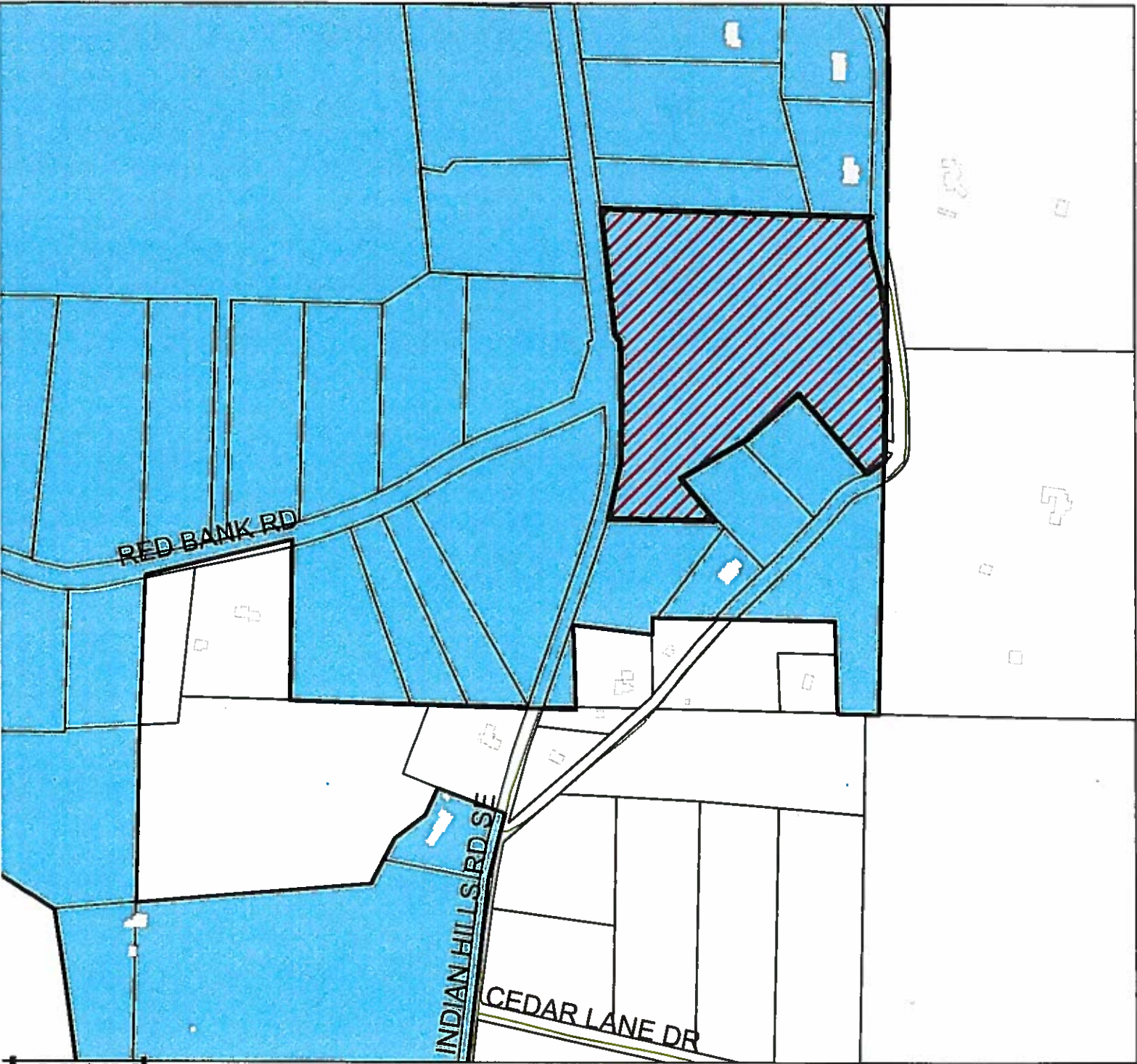
CERTIFICATE TO SUBDIVIDE NO. 3357-17



CERTIFICATE TO SUBDIVIDE NO. 3357-17



CERTIFICATE TO SUBDIVIDE NO. 3358-17

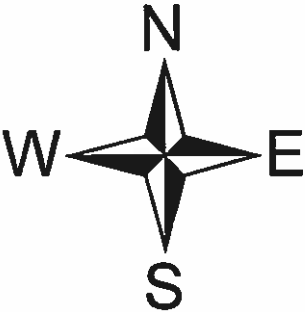


Legend

- Buildings
- Ownership
- Corporate Limits
- SUBJECT PROPERTY

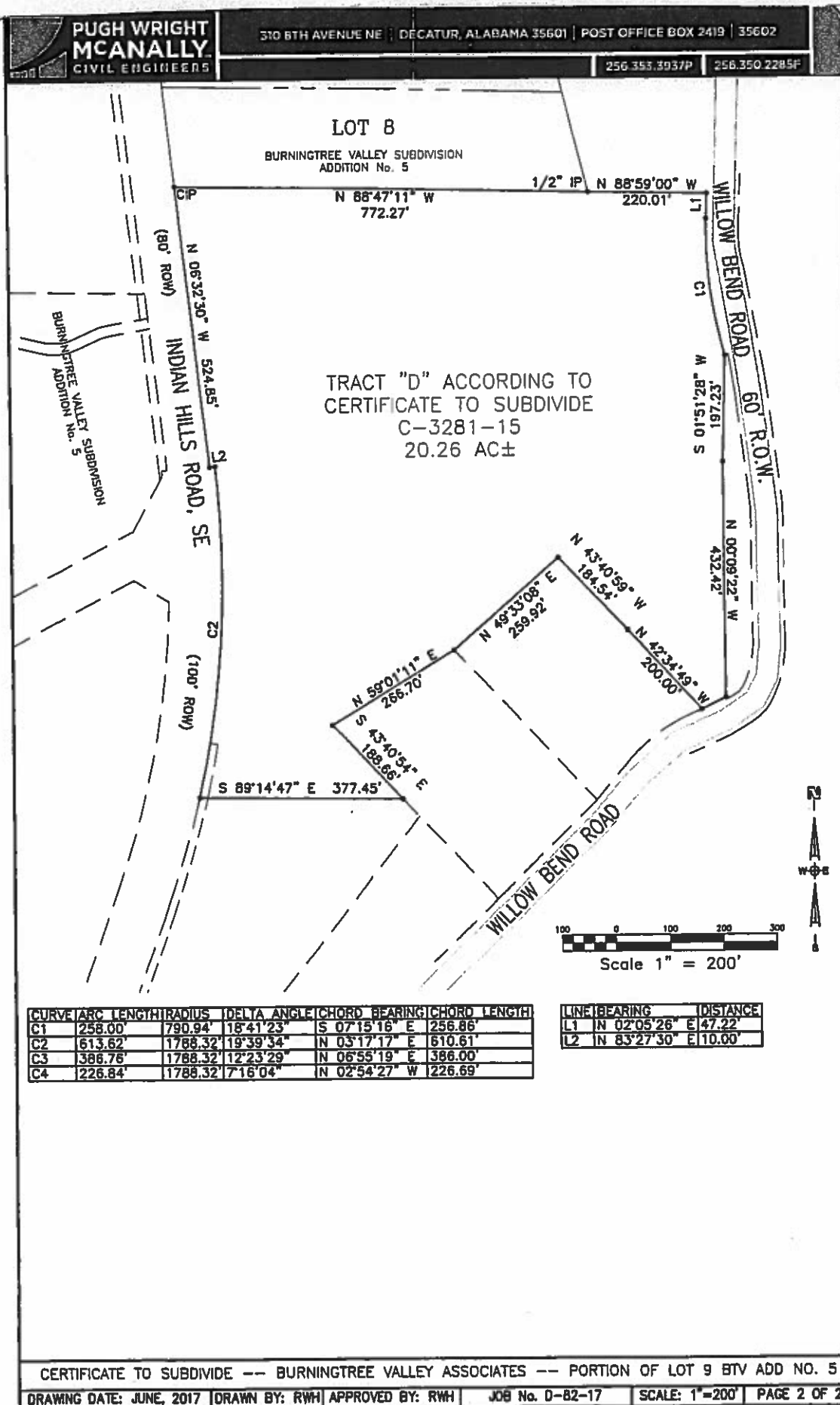
LOCATION MAP

APPLICANT: BURNINGTREE VALLEY ASSOCIATES
PROPERTY ZONED AG-1

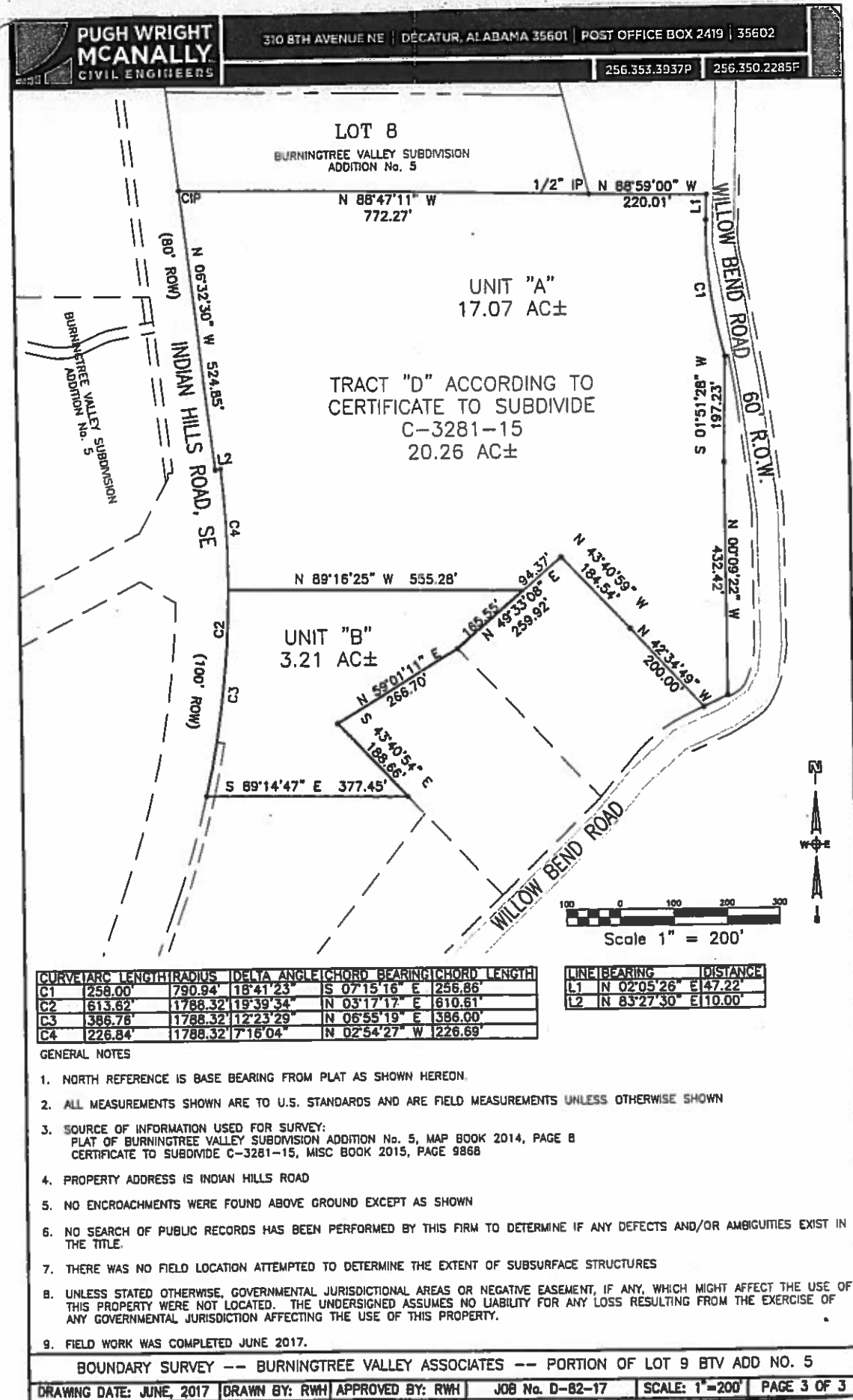


DRAWING NOT TO SCALE

CERTIFICATE TO SUBDIVIDE NO. 3358-17






CERTIFICATE TO SUBDIVIDE NO. 3358-17



SITE PLAN NO. 556-17



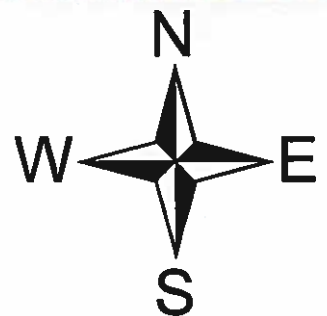
Legend

-  Ownership
-  Corporate Limits
-  **SUBJECT PROPERTY**

LOCATION MAP

APPLICANT: GEORGE DOUTHIT

PROPERTY ZONED B-2



DRAWING NOT TO SCALE